

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND

2005 AUG -4 A 11:54

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

JOHN BAPTIST KOTMAIR, JR., )  
and SAVE-A-PATRIOT FELLOWSHIP, )

Defendants. )

Civil No. WMN05CV1297

DEFENDANT KOTMAIR'S AMENDED ANSWER TO COMPLAINT FOR  
PERMANENT INJUNCTION

COMES NOW Defendant John Baptist Kotmair, Jr. (hereinafter "Kotmair"), who submits this Amended Answer to the Plaintiff's Complaint for Permanent Injunction, and for that, provides as follows:

- 1 A provisional answer to the Complaint was filed with this court on July 6, 2005.
- 2 Kotmair prays that this court grant him leave to amend his Answer to the Plaintiff's Complaint.
3. Kotmair wishes to amend his Answer by adding the following paragraph:

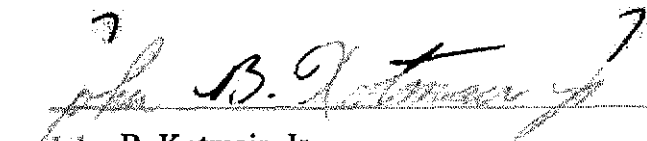
"SECOND DEFENSE Plaintiff's claim is barred by the doctrine of collateral estoppel" because of the matter styled Save-A-Patriot Fellowship v. United States of American in the Federal District Court for Maryland, a judgment was rendered on the 18<sup>th</sup> day of December, 1996, in favor of the Save-A-Patriot Fellowship and against the United States, finding among other things, that the Save-A-Patriot Fellowship is lawfully

existing as an unincorporated association under the laws of the State of Maryland. No circumstances have changed since that date.

4. Kotmair reiterates all of the response contained in Paragraphs 1 through 48 of his answer to the Plaintiff's complaint filed with this Court on July 5, 2005.

WHEREFORE, Plaintiff John Baptist Kotmair, Jr. prays that this court grant him leave to amend his Answer to Plaintiff's Complaint, and after due proceedings, render a judgment in favor of John Baptist Kotmair, Jr. and against the United States, and dismissing Plaintiff's claims at their costs.

Respectfully submitted this 4<sup>th</sup> day of August, 2005.

  
John B. Kotmair, Jr.  
2911 Groves Mill Road  
Westminster, Maryland  
Mailing address:  
Post Office Box 91  
Westminster, Maryland 21158  
Tel: 410-857-4441

## CERTIFICATE OF SERVICE

It is hereby certified that the undersigned forwarded the following documents:

- (1) DEFENDANT KOTMAIR'S AMENDED ANSWER TO COMPLAINT  
FOR PERMANENT INJUNCTION;  
PROPOSED ORDER; and,  
CERTIFICATE OF MAILING;

via the U.S. Postal Service, postage having been paid in full, on the 4<sup>th</sup> day of August, to the party indicated hereinafter.

Anne Norris Graham, Trial Attorney  
Tax Division, U.S. Dept of Justice  
P. O. Box 7238  
Washington, D.C. 20044

  
\_\_\_\_\_  
John Baptist Kotmair, Jr

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA, )  
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Plaintiff, )  
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v. ) Civil No. WMN05CV1297  
)  
JOHN BAPTIST KOTMAIR, JR., )  
and SAVE-A-PATRIOT FELLOWSHIP, )  
)  
Defendants. )

**ORDER**

That the Defendant *pro se* John Baptist Kotmair Jr. is hereby granted leave to file the foregoing Amended Answer to Plaintiff's Complaint for Permanent Injunction.

Further, it is hereby ORDERED that the Clerk shall enter the amendment into the docket, as part of the record.

GIVEN UNDER MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2005, at \_\_\_\_ o'clock \_\_\_\_m.

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Judge, United States District Court